CHOF 2.1
1/9/2012

Harbor Oil

Community Advisory Group

January 9, 2012

Dennis McLerran
Regional Administrator
U.S. EPA Region 10
1200 Sixth Avenue
Mail Stop: RA-140
Seattle WA 98101

Dear Sir:

As you may know, the RPM for the Harbor Oil Superfund Site was recently in touch with the Harbor Oil CAG (HOCAG) and other stakeholders to let them know that EPA is close to finalizing the report on the Remedial Investigation of the site. We thank Mr. Cora for his correspondence. Late in fall of 2011 the HOCAG met with other key stakeholders regarding our remaining concerns with the remedial investigation. The following are key concerns that we could all agree on and that we believed still deserve attention. This document arises from consultation with technical advisors to the HOCAG, Yakima Nation, and Nez Perce Tribe, along with the views of the Oregon Department of Environmental Quality and Portland Bureau of Environmental Services.

We remain concerned over the following:

1) Sediment bioassays: The Risk Assessment concluded "no unacceptable risks to sediment dwelling freshwater invertebrates." However, the sample results clearly show exceedances of some numeric criteria. The substances in Force Lake sediment represent a complex mixture; we therefore believe that some sediment bioassays that account for the complex mixture and in-situ bioavailability would be beneficial to validate the Risk Assessment conclusions.

   Using biota-sediment accumulation factors (BSAF) and bioaccumulation factors (BAF) to model fish tissue contaminant concentrations from observed sediment concentrations introduces a high degree of uncertainty, and is not adequate to determine risk to humans or ecological receptors at the site. It is recommended that fish tissue samples be collected from Force Lake and analyzed for PCB congeners, DDTs, mercury, and lipids.

2) Utilize PCB congener data by US EPA method 1668: This method would provide a better estimate of the total PCB concentration in sediment as the sum of detected congeners. It also allows calculation of "dioxin-like" toxicity equivalents in sediment. It would also have the potential to support inferences about sources of the PCBs.

   Moreover, this data should be collected using incremental sampling methods that provide a more reliable estimate of the mean or average concentration, while limiting the number of analyses. PCB contamination in Force Lake sediments poses some of the highest potential human health risks at the site. PCBs in sediment are likely to be weathered to the point where standard PCB Aroclor analysis may not be adequate to characterize the nature and extent of PCB contamination.

3) Stormwater analyses: Stormwater containing Harbor Oil contaminants of concern has been and continues to be discharged to Force Lake. It is recommended that stormwater be collected from the site to further characterize contamination in Force Lake. Stormwater should be analyzed for PCB congeners, DDTs, and mercury.

We ask that EPA reconsider its finalization of the remedial investigation in order to conduct the analyses identified above.

Short of further RI work, the general view of the Harbor Oil CAG has not shifted: We believe that it is well within EPA's discretion to move forward with a Feasibility Study and that such action is warranted. We urge EPA to move forward with the analyses identified above in order to increase the confidence in EPA's proposed path forward.

Sincerely,

Mark Stephan, Chair
Harbor Oil Community Advisory Group

Cc: Deb Yamamoto
Chris Cora